

FA R E R F E R S K O

A PROFESSIONAL ASSOCIATION ATTORNEYS AT LAW

April 29, 2010

Via ECF

Honorable Joel A. Pisano, U.S.D.J.
Clarkson S. Fisher Federal Building
and U.S. Courthouse
402 East State Street
Trenton, NJ 08608

Re: ANJRPC, et al. v. Christopher J. Christie, Governor of New Jersey et al.
Docket No.: 3:10-cv-00271-JAP-TJB
Our File No.: 011901

Dear Judge Pisano:

We represent the Plaintiffs in the above-referenced matter.

On April 16, 2010, we received the Motion to Dismiss and accompanying papers filed by Defendant City of Hackensack ("Hackensack"). In its cover letter dated April 16, 2010, Hackensack asks the Court to also regard its letter brief in support of its Motion to Dismiss as an opposition to Plaintiffs' Motion for Preliminary Injunction, returnable April 5, 2010. We respectfully submit that Hackensack's request is extremely out of time and Your Honor should deny such request.

Plaintiffs' Motion for Preliminary Injunction was returnable on April 5, 2010. Therefore, Hackensack's opposition was due on March 22, 2010. On March 12, 2010, upon adding Hackensack as a defendant in this matter, we provided Hackensack with copies of all papers filed in this matter. Plaintiffs' service of the motion papers upon Hackensack was therefore timely, as it was served on Hackensack 24 days before the April 5, 2010 return date. Thus, Hackensack had ample time to either prepare opposition or request an extension of time before the March 22, 2010 deadline. We respectfully submit that Hackensack cannot now, one month past the filing deadline, seek to submit its opposition, especially for a return date that has since passed.

Respectfully submitted,



Daniel L. Schmutter
DLS:amh

Enclosure

cc: Larry Etzweiler, Esq. (w/o encl.) (Via ECF)
Joseph C. Zisa, Esq. (w/o encl.) (Via ECF)
Michael Gilmore, Esq. (w/encl.) (Via Fax and Regular Mail)

Henry Farer
Jack Fersko
David B. Farer
Richard J. Ericsson
Ann M. Waeger
Jay A. Jaffe
John J. Reilly
Daniel L. Schmutter
Susan C. Karp
Marcie R. Horowitz
John H. Hague
Regina E. Schnelker

Counsel
Anthony Gioumtikos
Maura E. Blau

Keith P. McManus
Marjan F. Disler

*Certified by the Supreme
Court of New Jersey
as a Civil Trial Attorney